

## **222.7102**

for closure (such as environmental restoration and utilities modification) and maintaining the property after closure (such as security and fire prevention services).

### **222.7102 Contract clause.**

Use the clause at 252.222-7001, Right of First Refusal of Employment—Closure of Military Installations, in all solicitations and contracts arising from the closure of the military installation where the contract will be performed.

## **Subpart 222.72—Compliance with Labor Laws of Foreign Governments**

### **222.7201 Contract clauses.**

(a) Use the clause at 252.222-7002, Compliance with Local Labor Laws (Overseas), in solicitations and contracts for services or construction to be performed outside the United States and its outlying areas.

(b) Use the clause at 252.222-7003, Permit from Italian Inspectorate of Labor, in solicitations and contracts for porter, janitorial, or ordinary facility and equipment maintenance services to be performed in Italy.

(c) Use the clause at 252.222-7004, Compliance with Spanish Social Security Laws and Regulations, in solicitations and contracts for services or construction to be performed in Spain.

[62 FR 34122, June 24, 1997, as amended at 70 FR 35545, June 21, 2005]

## **Subpart 222.73—Limitations Applicable to Contracts Performed on Guam**

SOURCE: 64 FR 52672, Sept. 30, 1999, unless otherwise noted.

### **222.7300 Scope of subpart.**

- (a) This subpart implements—
  - (1) 10 U.S.C. 2864; and
  - (2) Section 390 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85).
- (b) This subpart applies to—
  - (1) Contracts for military construction projects on Guam; and
  - (2) Contracts for base operations support on Guam that—

## **48 CFR Ch. 2 (10-1-06 Edition)**

(i) Are awarded as a result of a competition conducted under OMB Circular A-76; and

(ii) Are entered into or modified on or after November 18, 1997.

### **222.7301 Prohibition on use of non-immigrant aliens.**

(a) Any alien who is issued a visa or otherwise provided nonimmigrant status under Section 101(a)(15)(H)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)) is prohibited from performing work under a contract for—

(1) A military construction project on Guam; or

(2) Base operations support on Guam.

(b) Lawfully admitted citizens of the freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau are not subject to the prohibition in paragraph (a) of this section.

### **222.7302 Exception.**

The prohibition in 222.7301(a)(1) does not apply to a military construction project if—

(a) There is no acceptable offer in response to a solicitation for the project;

(b) The Secretary concerned makes a determination that the prohibition is a significant deterrent to obtaining offers on the project; and

(c) Another solicitation is issued for the project.

### **222.7303 Contract clause.**

Use the clause at 252.222-7005, Prohibition on Use of Nonimmigrant Aliens—Guam, in solicitations and contracts subject to this subpart, except those issued in accordance with 222.7302.

## **PART 223—ENVIRONMENT, ENERGY AND WATER EFFICIENCY, RENEWABLE ENERGY TECHNOLOGIES, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE**

### **Subpart 223.3—Hazardous Material Identification and Material Safety Data**

Sec.

223.302 Policy.

223.303 Contract clause.

223.370 Safety precautions for ammunition and explosives.